



Order Filed on February 20, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

Karen Vitarelle,

Debtor.

Chapter 13

Case No. 23-21852 (MBK)

Hearing Date: February 14, 2024 at 9:00 a.m.

Judge: Michael B. Kaplan

Recommended Local Form

☐ Followed

☒ Modified

ORDER VACATING AUTOMATIC STAY AND CO-DEBTOR STAY

The relief set forth on the following pages two (2) through three (3), is hereby **ORDERED**:

DATED: February 20, 2024

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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DEBTOR Karen Vitarelle

CASE NO: 23-21852 (MBK)

CAPTION OF ORDER: Order Vacating Automatic Stay and co-Debtor Stay

Upon the motion (the “Motion”)¹ of Police and Fire Federal Credit Union (“PFFCU”) pursuant to 11 U.S.C. §§ 362(d) and 1301(a) for relief from the automatic stay and co-debtor stay as to the debtor Karen Vitarelle’s and the co-Debtor’s Vehicle and, and for good cause shown, it is

ORDERED that the motion is granted and the stay is terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant’s rights in the following:

☐ Real Property more fully described as:

N/A

It is further **ORDERED** that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

☒ Personal property more fully described as:

2017 Mercedes-Benz VIN #55SWF6EB5HU182795

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

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DEBTOR Karen Vitarelle

CASE NO: 23-21852 (MBK)

CAPTION OF ORDER: Order Vacating Automatic Stay and co-Debtor Stay

It is further **ORDERED** that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further **ORDERED** that the Trustee is directed to cease making any further distributions to the Creditor.

It is further **ORDERED** that the relief granted under this Order is without prejudice to PFFCU's right to pursue a deficiency claim against the above-captioned bankruptcy estate to the extent that the value realized from the sale of the Vehicle is less than the amount of PFFCU's secured claim.

The movant shall serve this order on the debtor, co-debtor, any trustee and any other party who entered an appearance on the motion.